



UNITED STATES DISTRICT COURT Southern District of Indiana

Laura A. Briggs, Clerk of Court

Birch Bayh Federal Building
& U.S. Courthouse, Room 105
46 East Ohio Street
Indianapolis, IN 46204
(317) 229-3700

U.S. Courthouse, Room 104
921 Ohio Street
Terre Haute, IN 47807
(812) 231-1840

Winfield K. Denton Federal Building
& U. S. Courthouse, Room 304
101 NW Martin Luther King Blvd.
Evansville, IN 47708
(812) 434-6410

Lee H. Hamilton Federal Building
& U.S. Courthouse, Room 210
121 West Spring Street
New Albany, IN 47150
(812) 542-4510

July 27, 2016

Bradley A. Blackington
UNITED STATES ATTORNEYS OFFICE
10 West Market Street
Suite 2100
Indianapolis, IN 46204

Mark White #05671-028
FCI Hazelton
P.O. Box 5000
Bruceton Mills, WV 26525

RE: UNITED STATES OF AMERICA v. MARK WHITE

CAUSE NO: 1:98-cr-00038-LJM-MJD-3

Dear Appellant and Appellee:

Please be advised that the Notice of Appeal filed in 1:98-cr-00038-LJM-MJD-3 has been forwarded to the United States Court of Appeals for the Seventh Circuit. The Clerk of the Seventh Circuit will assign an appellate case number, docket the appeal, and notify case participants of the Seventh Circuit case number assigned to this matter.

Filing a "Designation of Record" in the U.S. District Court case helps ensure that the appropriate documents (*e.g.*, pleadings and attachments, briefs, exhibits) are effectively transmitted to the Seventh Circuit. A copy of the docket sheet in this case has been included for your convenience. The docket sheet may be annotated (by circling docket numbers, or highlighting electronically) to identify the docket entries that are to be included in the appellate record, then attached as an exhibit to the Designation of Record. The designation may also simply list the docket entry numbers (all attachments to each entry will be included) along with a description of the designated documents.

Please review [Southern District of Indiana Local Rule 76-1](#) and [Seventh Circuit Rule 10](#) (enclosed) for guidance regarding the designation of a record, and comply with the provisions of [Federal Rule of Civil Procedure 5](#) when filing the designation.

Please contact the Clerk's office with any questions or concerns.

Sincerely,
Laura A. Briggs,
Clerk of Court

By Laura Townsend, Deputy Clerk
812-542-4511

Selected Rules for Reference

Local Rule 76-1 - Designating Additional Items For Record on Appeal

An appellant designating items for the record on appeal under Circuit Rule 10(a) must serve a proposed joint designation on the appellee with the notice of appeal. The parties must then confer and, if they agree, prepare a joint designation, highlighting those entries on the court's docket sheet if it is practical to do so. The joint designation must be filed with the clerk within 14 days after the notice of appeal is filed. If the parties cannot reach agreement on a joint designation, each party must submit a separate designation within 14 days after filing the notice of appeal.

NOTE: The complete Local Rules for the U.S. District Court, Southern District of Indiana, are available at: <http://www.insd.uscourts.gov/local-rules>

CIRCUIT RULE 10. Preparation of Record in District Court Appeals

(a) *Record Preparation Duties.* The clerk of the district court shall prepare within 14 days of filing the notice of appeal the original papers, transcripts filed in the district court, and exhibits received or offered in evidence (with the exceptions listed below). The transcript of a deposition is "filed" within the meaning of this rule, and an exhibit is "received or offered," to the extent that it is tendered to the district court in support of a brief or motion, whether or not the rules of the district court treat deposition transcripts or exhibits as part of the record. These materials may be designated as part of the record on appeal without the need for a motion under Fed. R. App. P. 10(e). Counsel must ensure that exhibits and transcripts to be included in the record which are not in the possession of the district court clerk are furnished to the clerk within fourteen days after the filing of the notice of appeal. The following items will not be included in a record unless specifically requested by a party by item and date of filing within fourteen days after the notice of appeal is filed or unless specifically ordered by this court:

- briefs and memoranda,
- notices of filings,
- subpoenas,
- summonses,
- motions to extend time,
- affidavits and admissions of service and mailing,
- notices of settings,
- depositions and notices, and
- jury lists.

(b) *Correction or Modification of Record.* A motion to correct or modify the record pursuant to Rule 10(e), Fed. R. App. P., or a motion to strike matter from the record on the ground that it is not properly a part thereof shall be presented first to the district court. That court's order ruling on the motion will be transmitted to this court as part of the record.

(c) *Order or Certification with Regard to Transcript.* Counsel and court reporters are to utilize the form prescribed by this court when ordering transcripts or certifying that none will be ordered. For specific requirements, see Rules 10(b) and 11(b), Fed. R. App. P.

(d) *Ordering Transcripts in Criminal Cases.*

(1) *Transcripts in Criminal Justice Act Cases.* At the time of the return of a verdict of guilty or, in the case of a bench trial, an adjudication of guilt in a criminal case in which the defendant is represented by counsel appointed under the Criminal Justice Act (C.J.A.), counsel for the defendant shall request a transcript of testimony and other relevant proceedings by

completing a C.J.A. Form No. 24 and giving it to the district judge. If the district judge believes an appeal is probable, the judge shall order transcribed so much of the proceedings as the judge believes necessary for an appeal. The transcript shall be filed with the clerk of the district court within 40 days after the return of a verdict of guilty or, in the case of a bench trial, the adjudication of guilt or within seven days after sentencing, whichever occurs later. If the district judge decides not to order the transcript at that time, the judge shall retain the C.J.A. Form No. 24 without ruling. If a notice of appeal is filed later, appointed counsel or counsel for a defendant allowed after trial to proceed on appeal in forma pauperis shall immediately notify the district judge of the filing of a notice of appeal and file or renew the request made on C.J.A. Form No. 24 for a free transcript.

(2) *Transcripts in Other Criminal Cases.* Within 14 days after filing the notice of appeal in other criminal cases, the appellant or appellant's counsel shall deposit with the court reporter the estimated cost of the transcript ordered pursuant to Rule 10(b), Fed. R. App. P., unless the district court orders that the transcript be paid for by the United States. A non-indigent appellant must pay a pro rata share of the cost of a transcript prepared at the request of an indigent co-defendant under the Criminal Justice Act unless the district court determines that fairness requires a different division of the cost. Failure to comply with this paragraph will be cause for dismissal of the appeal.

(e) *Indexing of Transcript.* The transcript of proceedings to be transmitted to this court as part of the record on appeal (and any copies prepared for the use of the court or counsel in the case on appeal) shall be bound by the reporter in a volume or volumes, with the pages consecutively numbered throughout all volumes. The transcript of proceedings, or the first volume thereof, shall contain a suitable index, which shall refer to the number of the volume as well as the page, shall be cumulative for all volumes, and shall include the following information:

(1) An alphabetical list of witnesses, giving the pages on which the direct and each other examination of each witness begins.

(2) A list of exhibits by number, with a brief description of each exhibit indicating the nature of its contents, and with a reference to the pages of the transcript where each exhibit has been identified, offered, and received or rejected.

(3) A list of other significant portions of the trial such as opening statements, arguments to the jury, and instructions, with a reference to the page where each begins.

When the record includes transcripts of more than one trial or other distinct proceeding, and it would be cumbersome to apply this paragraph to all the transcripts taken together as one, the rule may be applied separately to each transcript of one trial or other distinct proceeding.

(f) *Presentence Reports.* The presentence report is part of the record on appeal in every criminal case. The district court should transmit this report under seal, unless it has already been placed in the public record in the district court. If the report is transmitted under seal, the report may not be included in the appendix to the brief or the separate appendix under Fed. R. App. P. 30 and Circuit Rule 30. Counsel of record may review the presentence report at the clerk's office but may not review the probation officer's written comments and any other portion submitted in camera to the trial judge.

(g) *Effect of Omissions from the Record on Appeal.* When a party's argument is countered by a contention of waiver for failure to raise the point in the trial court or before an agency, the party opposing the waiver contention must give the record cite where the point was asserted and also ensure that the record before the court of appeals contains the relevant document or transcript.

NOTE: The complete **Federal Rules of Appellate Procedure & Rules of the 7th Circuit Court of Appeals** are available at: <http://www.ca7.uscourts.gov/Rules/Rules/rules.pdf>



UNITED STATES DISTRICT COURT
Southern District of Indiana

Laura A. Briggs, Clerk of Court

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New Albany, IN 47150
(812) 542-4510

July 27, 2016

RE: UNITED STATES OF AMERICA v. MARK WHITE

CAUSE NO: 1:98-cr-00038-LJM-MJD-3

Dear Appellant:

A Notice of Appeal was filed in the above case on July 26, 2016. However, a "Docketing Statement" was not filed along with the Notice of Appeal, as required by [Circuit Rule 3\(c\)](#) of the U.S. Court of Appeals for the Seventh Circuit. A copy of the rule is attached for reference.

Pursuant to the Seventh Circuit Rule 3(c), the appellant must serve on all parties a docketing statement and file said statement with the Clerk of for the Seventh Circuit within seven (7) days of the filing of the Notice of Appeal.

IMPORTANT: Please do not submit the docketing statement to the U.S. District Court case. The docketing statement must be submitted to the Seventh Circuit at the address below:

Gino Agnello, Clerk
United States Court of Appeals
219 South Dearborn Street, Suite 2722
Chicago, IL 60604

Please contact the Clerk's office with any questions or concerns.

Sincerely,
Laura A. Briggs,
Clerk of Court

By Laura Townsend, Deputy Clerk
812-542-4511

Selected Rules for Reference

CIRCUIT RULE 3. Notice of Appeal, Docketing Fee, Docketing Statement, and Designation of Counsel of Record

(a) *Forwarding Copy of Notice of Appeal.* When the clerk of the district court sends to the clerk of this court a copy of the notice of appeal, the district court clerk shall include any docketing statement. In civil cases the clerk of the district court shall include the judgments or orders under review, any transcribed oral statement of reasons, opinion, memorandum of decision, findings of fact, and conclusions of law. The clerk of the district court shall also complete and include the Seventh Circuit Appeal Information Sheet in the form prescribed by this court.

(b) *Dismissal of Appeal for Failure to Pay Docketing Fee.* If a proceeding is docketed without prepayment of the docketing fee, the appellant shall pay the fee within 14 days after docketing. If the appellant fails to do so, the clerk is authorized to dismiss the appeal.

(c)(1) *Docketing Statement.* The appellant must serve on all parties a docketing statement and file it with the clerk of the district court at the time of the filing of the notice of appeal or with the clerk of this court within seven days of filing the notice of appeal. The docketing statement must comply with the requirements of [Circuit Rule 28\(a\)](#). If there have been prior or related appellate proceedings in the case, or if the party believes that the earlier appellate proceedings are sufficiently related to the new appeal, the statement must identify these proceedings by caption and number. The statement also must describe any prior litigation in the district court that, although not appealed, (a) arises out of the same criminal conviction, or (b) has been designated by the district court as satisfying the criteria of 28 U.S.C. §1915(g). If any of the parties to the litigation appears in an official capacity, the statement must identify the current occupant of the office. The docketing statement in a collateral attack on a criminal conviction must identify the prisoner's current place of confinement and its current warden; if the prisoner has been released, the statement must describe the nature of any ongoing custody (such as supervised release) and identify the custodian. If the docketing statement is not complete and correct, the appellee must provide a complete one to the court of appeals clerk within 14 days after the date of the filing of the appellant's docketing statement.

(2) Failure to file the docketing statement within 14 days of the filing of the notice of appeal will lead to the imposition of a \$100 fine on counsel. Failure to file the statement within 28 days of the filing of the notice of appeal will be treated as abandonment of the appeal, and the appeal will be dismissed. When the appeal is docketed, the court will remind the litigants of these provisions.

(d) *Counsel of Record.* The attorney whose name appears on the docketing statement or other document first filed by that party in this court will be deemed counsel of record, and a separate notice of appearance need not be filed. If the name of more than one attorney is shown, the attorney who is counsel of record must be clearly identified. (There can be only one counsel of record.) If no attorney is so identified, the court will treat the first listed as counsel of record. The court will send documents only to the counsel of record for each party, who is responsible for transmitting them to other lawyers for the same party. The docketing statement or other document must provide the post office address and telephone number of counsel of record. The names of other members of the Bar of this Court and, if desired, their post office addresses, may be added but counsel of record must be clearly identified. An attorney representing a party who will not be filing a document shall enter a separate notice of appearance as counsel of record indicating the name of the party represented. Counsel of record may not withdraw, without consent of the court, unless another counsel of record is simultaneously substituted.

NOTE: The complete Federal Rules of Appellate Procedure & Rules of the 7th Circuit Court of Appeals are available at: <http://www.ca7.uscourts.gov/Rules/Rules/rules.pdf>

UNITED STATES DISTRICT COURT
for the Southern District of Indiana
INDIANAPOLIS DIVISION

FILED
JUL 26 PM 4:35

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

MARK A. WHITE

Plaintiff

vs.

UNITED STATES OF AMERICA

Respondent

CASE NO. 1:98-cr-38-LJM
MJD
03

Notice of Appeal to the
Seventh Circuit Court of Appeals

Defendant White is notifying this Honorable
Court that he would like to for the Seventh
Circuit Court of Appeals to hear his case on
the grounds of a denial of a substantial
constitutional right required by 28 U.S.C. 2253(c)(2).

DATE 7.18.2016.

Respectfully Submitted,
Mark A. White
05671.028 P.O. Box 5000
Bruce Farnsworth, U.S. V. 26525

MARK A WHITE 05671-028

FEDERAL CORRECTIONAL INSTITUTION

P.O. Box 5000

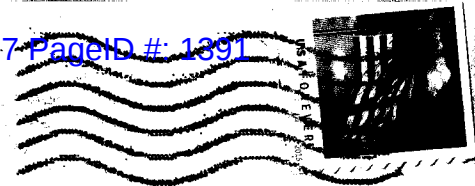
Gracetown Mills, WV

26525

Case 1:98-cr-00038-JMS-MJD Document 104 Filed 07/27/16 Page 7 of 17 PageID #: 1391

PITTSBURGH PA 150

19 JUL 2016 PM 7 L



RECEIVED

JUL 22 2016

U.S. CLERK'S OFFICE
INDIANAPOLIS, INDIANA

THE OFFICE OF THE CLERK
OF THE U.S. DISTRICT COURT
46 EAST Ohio STREET
INDIANAPOLIS, INDIANA 46204

Legal Mail

46204-199999



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK WHITE (03),

Defendant.

No. 1:98-cr-00038-LJM-MJD


ORDER

Defendant Mark White ("Defendant") has responded to the Order to Show Cause arguing that he has paid the fine issued by the Court of Appeals for the Seventh Circuit in its Cause No. 14-2138. A check of that docket reveals that he paid the fine on February 10, 2015. On the merits of Defendant's Motion for Certificate of Appealability, and Motion for Leave to Appeal *in forma pauperis*, the Motions are **DENIED** for the reasons stated by the Court in its Order dated January 9, 2015. Specifically, a certificate of appealability can only be considered in conjunction with a motion for relief pursuant to 28 U.S.C. § 2255; however, here, that matter has long been laid to rest. To the extent Defendant seeks to file a successive § 2255 motion, he must seek leave to do so with the Seventh Circuit Court of Appeals.

IT IS SO ORDERED.

DATE: 07/12/2016

Distribution attached.


LARRY J. MCKINNEY, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Mark White
Reg. No. 05671-028
Federal Correctional Institution – Hazelton
P.O. Box 5000
Bruceton Mills, WV 26525

Bradley A. Blackington
UNITED STATES ATTORNEY'S OFFICE
bradley.blackington@usdoj.gov

***** PUBLIC DOCKET *****

APPEAL,MANDATE,CLOSED

**U.S. District Court
Southern District of Indiana (Indianapolis)
CRIMINAL DOCKET FOR CASE #: 1:98-cr-00038-LJM-MJD-3**

Case title: USA v. SPRADLEY et al

Date Filed: 03/10/1998

Date Terminated: 12/10/1999

Assigned to: Judge Larry J. McKinney
Referred to: Magistrate Judge Mark J.
Dinsmore

Appeals court case numbers: 14-2138 -
Mandate 7th Circuit, 15-2812 -
Mandate 7th Circuit

Defendant (3)

MARK WHITE

TERMINATED: 12/10/1999

agent of

MILK D

TERMINATED: 12/10/1999

agent of

RAT

TERMINATED: 12/10/1999

agent of

DEMARCO BLACK

TERMINATED: 12/10/1999

represented by **William H. Dazey , Jr.**

INDIANA FEDERAL COMMUNITY
DEFENDERS

111 Monument Circle

Suite 3200

Indianapolis, IN 46204

(317) 383-3520

Fax: (317) 383-3525

Email: bill.dazey@fd.org

TERMINATED: 07/10/2015

ATTORNEY TO BE NOTICED

*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

21:841A=CD.F CONTROLLED
SUBSTANCE - SELL, DISTRIBUTE,
OR DISPENSE

(1)

18:1512A.F TAMPER W/WITNESS,
VICTIM, INFORMANT (IF DEATH
RESULTS)

(2)

18:1513.F RETALIATING AGAINST

Disposition

WITNESS, VICTIM

(3)

18:924C.F VIOLENT
CRIME/DRUGS/MACHINE GUN

(4)

18:1956-4999.F MONEY
LAUNDERING - FRAUD, OTHER

(7)

18:1956-4999.F MONEY
LAUNDERING - FRAUD, OTHER

(8s)

18:1956-6801.F MONEY
LAUNDERING - CONTROLLED
SUBSTANCE - SELL/DISTR/DISP

(13)

18:1956-4999.F MONEY
LAUNDERING - FRAUD, OTHER

(22)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Bradley A. Blackington**
UNITED STATES ATTORNEY'S
OFFICE
10 West Market Street
Suite 2100
Indianapolis, IN 46204
(317) 226-6333
Fax: (317) 226-6125
Email: bradley.blackington@usdoj.gov
ATTORNEY TO BE NOTICED

Designation: Government Attorney

Matthew P. Brookman
UNITED STATES ATTORNEY'S
OFFICE - EV
101 NW Martin Luther King, Jr. Blvd.
Suite 250
Evansville, IN 47708
(812) 465-6475
Fax: (812) 465-6444
Email: Matthew.Brookman@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Melanie C. Conour
UNITED STATES ATTORNEY'S
OFFICE
10 West Market Street
Suite 2100
Indianapolis, IN 46204
(317) 226-6333
Fax: (317) 226-5953
Email: melanie.conour@usdoj.gov
TERMINATED: 08/17/2015
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Docket Text
03/10/1998	<u>1</u>	JAMS DOCKET as to MARK WHITE: *** This case was previously maintained in the court's Judicial Automated Management System (JAMS). Pursuant to the court's order dated 12/17/2010, the docket is now transferred to the court's electronic case management system (CM/ECF) *** (Attachments: # <u>1</u> Transfer Order) (REO) Modified on 12/22/2010 (REO). (Entered: 12/22/2010)
11/04/2011	<u>4</u>	Letter from Mark White regarding reduction of sentence DEFT-Pro Se (CBU) (Entered: 11/07/2011)
04/05/2012	<u>12</u>	Letter from Mark White addressed to the Financial Litigation Agent regarding payment due to the judgment (CBU) (Entered: 04/05/2012)
05/31/2013	<u>17</u>	MOTION to Appoint Counsel by MARK WHITE. (TMA) (Entered: 06/03/2013)
05/31/2013	<u>18</u>	MOTION to proceed in forma pauperis, filed by MARK WHITE. (Attachments: # <u>1</u> Trust Fund Account Information) (TMA) (Entered: 06/03/2013)
05/31/2013	<u>19</u>	Submission of Application for Certification of Appealability, by MARK

		WHITE. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D) (TMA) (Entered: 06/03/2013)
05/31/2013	20	Submission of Docketing Statement, by MARK WHITE. (TMA) (Entered: 06/03/2013)
10/04/2013	21	MOTION for Copies by MARK WHITE. (Attachments: # 1 Envelope)(SWM) (Entered: 10/07/2013)
03/28/2014	22	Inquiry regarding case from Mark A. White. (Attachments: # 1 Envelope) (SWM) (Entered: 03/31/2014)
05/08/2014	23	ORDER - The request to proceed in forma pauperis [dkt 18] and the motion for attorney representation [dkt 17], filed by MARK WHITE (3), are each denied as inapt to the filing discussed in Part I of this Entry. ***SEE ORDER***. Signed by Judge Larry J. McKinney on 5/8/2014. (copy to Mark White via US Mail) (JKS) (Entered: 05/08/2014)
05/21/2014	24	RESPONSE re 23 Order, by MARK WHITE. (Attachments: # 1 Envelope) (JKS) (Entered: 05/22/2014)
05/21/2014	25	NOTICE OF APPEAL by MARK WHITE re 23 Order. (No fee paid with this filing) (JKS) (Additional attachment(s) added on 5/22/2014: # 1 Envelope) (JKS). (Entered: 05/22/2014)
05/22/2014	26	SEVENTH CIRCUIT APPEAL INFORMATION SHEET as to MARK WHITE re 25 Notice of Appeal - Instructions for Attorneys - Parties' Short Record, Instructions, and Designation of Record information attached. (A paper copy of the Short Record was sent on 5/22/2014 to the defendant, via US Mail, at <i>FCI Terre Haute</i>) (LBT) (Entered: 05/22/2014)
05/22/2014	27	Transmission of Notice of Appeal and Docket Sheet as to MARK WHITE to US Court of Appeals re 25 Notice of Appeal. - for Court of Appeals Use Only. (LBT) (Entered: 05/22/2014)
05/22/2014	28	USCA Case Number 14-2138 for 25 Notice of Appeal filed by MARK WHITE. (Attachments: # 1 Circuit Rule 3(b) Notice)(JLM) (Entered: 05/23/2014)
06/03/2014	29	ENTRY Directing Further Proceedings in case as to MARK WHITE (3) - The defendant renews his request for the issuance of a certificate of appealability. The defendant shall have through July 2, 2014, in which to supplement his renewed request. The defendant shall have through July 2, 2014 in which to supplement his filing of May 21, 2014 by re-stating with clarity what, if any, relief from his conviction and sentence he now seeks from the trial court and the basis on which he contends that such relief could be granted. He is notified that a request for relief within the scope of 28 U.S.C. § 2255 will be treated as such a request, regardless of the label attached to the filing or filings. Signed by Judge Larry J. McKinney on 6/3/2014. (copy to Mark White via US Mail) (JKS) **Copy emailed to USCA via #14-2138.** Modified on 6/4/2014 (JLM). (Entered: 06/03/2014)

06/04/2014	<u>30</u>	MOTION for Leave to Appeal In Forma Pauperis by MARK WHITE. (Attachments: # <u>1</u> IFP filed in 2013, # <u>2</u> Inmate Account History, # <u>3</u> USCA Order Transferring IFP to District Court)(LBT) (Entered: 06/05/2014)
06/10/2014	<u>31</u>	ORDER denying <u>30</u> Defendant's Motion for Leave to Appeal In Forma Pauperis (USCA #14-2138) as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 6/10/2014. (copy to Mark White via US Mail) (JKS) (Entered: 06/10/2014)
07/02/2014	<u>32</u>	RESPONSE, re <u>29</u> Entry filed by MARK WHITE. (Attachments: # <u>1</u> Exhibit C - Entry, # <u>2</u> Envelope)(DW) (Entered: 07/03/2014)
09/22/2014	<u>33</u>	MANDATE of USCA (certified copy) as to MARK WHITE re <u>25</u> Notice of Appeal (USCA #14-2138) - Mark White filed a petition for rehearing of this court's order denying his application for leave to file a successive collateral attack. This court is not authorized to consider White's motion, 28 U.S.C. § 2244(b)(3)(E), which shall be filed without further action by the court. In denying his application just two weeks ago, we warned White that continuing to file frivolous papers would result in sanctions in accordance with <i>Alexander v. United States</i> , 121 F.3d 312 (7th Cir 1997). But White has done just that, continuing to raise the same challenge to his conviction under <i>Crawford v. Washington</i> , 541 U.S. 36 (2004), that he has raised in five previous collateral attacks. Accordingly, we now impose the following SANCTION: White is fined \$500. Until he pays that sum in full to the clerk of this court, he is barred from filing further civil suits in the courts of this circuit, in accordance with <i>Support Systems International v. Mack</i> , 45 F.3d 185 (7th Cir. 1995). Any papers he submits attacking his current criminal judgment, including further collateral attacks, shall be returned unfiled and any applications for leave to file collateral attacks will be deemed denied on the 30th day unless the court orders otherwise. (JLM) (Entered: 09/22/2014)
01/08/2015	<u>34</u>	MOTION for court to consider issues by MARK WHITE. (Attachments: # <u>1</u> Seventh Circuit Case Search and Entry)(DW) (Entered: 01/09/2015)
01/09/2015	<u>35</u>	ENTRY AND NOTICE as to MARK WHITE (03). Defendant White sought the issuance of a certificate of appealability. He was instructed to identify the "final adverse order" as to which he seeks such a certificate. He has not done so. Through his filing of July 2, 2014, however, he insists that a certificate of appealability can and should be issued. That is not the case and his request for a certificate of appealability is denied. The reason for this ruling is that a certificate of appealability can be considered in conjunction with the denial of a motion for relief pursuant to 28 U.S.C. § 2255, but that matter here has long since been laid to rest. Additionally, the Court of Appeals' Order of September 22, 2014 in No. 14-2138 prohibits White from making or pursuing this and similar requests. Therefore, any relief which can be thought as being requested on the basis of filings heretofore made is denied. Signed by Judge Larry J. McKinney on 1/9/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 01/12/2015)
01/13/2015	<u>37</u>	ORDER as to MARK WHITE (3): The defendant's motion for consideration

		[dkt 34] is denied in light of the Entry docketed on January 12, 2015 confirming his non-entitlement to a certificate of appealability and the effect of the September 22, 2014 Order of the Court of Appeals in No. 14-2138. The motion referred to herein should not have been tendered and should not have been filed. Further attempts to file motions for reconsideration will be denied. Signed by Judge Larry J. McKinney on 1/13/2015. Copy sent via US Mail. (DW) (Entered: 01/13/2015)
03/02/2015	39	MOTION to Reduce Sentence - USSC Amendment 782 by MARK WHITE. (AH) (Entered: 03/05/2015)
05/07/2015	40	ORDER TO SHOW CAUSE as to MARK WHITE (03): The Court acknowledges receipt of Defendant Mark White's ("Defendant's") Motion to Reduce Sentence pursuant to 18 U.S.C. § 3582(c)(2) under the terms of Amendment 782 to the United States Sentencing Commission guideline ("Amendment 782") ("Defendant's 782 Motion"). Defendant shall have 21 days from the date of this Order to supplement his 782 Motion with reasons why the section 3553(a) factors weigh in favor of reducing Defendant's sentence. The United States of America shall have 14 days thereafter to respond. This Order should not be construed as a ruling or comment on the merits or sufficiency of Defendant's 782 Motion (see Order for additional information). Copy to Plaintiff via US Mail. Signed by Judge Larry J. McKinney on 5/7/2015. (SWM) (Entered: 05/07/2015)
05/12/2015	43	Reassignment of Case to Magistrate Judge Mark J. Dinsmore. Magistrate Judge Kennard P. Foster no longer assigned to the case. Please include the new case number (1:98-cr-038-LJM-MJD), which includes the initials of the newly assigned judge, on all future filings in this matter. (DJH) (Entered: 05/12/2015)
05/18/2015	46	RESPONSE to Court's Order to Show Cause, filed by MARK WHITE (3) (Attachments: # 1 Envelope)(SWM) (Entered: 05/19/2015)
05/26/2015	47	RESPONSE in Opposition re 39 MOTION to Reduce Sentence - USSC Amendment 782 by USA as to MARK WHITE (3) (Conour, Melanie) (Entered: 05/26/2015)
06/08/2015	49	SUPPLEMENT re 46 RESPONSE to Court's Order to Show Cause by MARK WHITE (3). (Attachments: # 1 Envelope)(DW) (Entered: 06/09/2015)
07/14/2015	54	ORDER denying Defendant's 39 Motion to Reduce Sentence - USSC Amendment 782 for 1 as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 7/14/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 07/14/2015)
08/06/2015	56	MOTION for Reconsideration of Court's 54 ORDER denying Defendant's 39 Motion to Reduce Sentence - USSC Amendment 782 by MARK WHITE (3). Certificate of Service. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Envelope) (BGT) (Entered: 08/07/2015)

08/12/2015	57	ORDER denying Defendant's 56 Motion for Reconsideration of the Court's Order denying his Motion for Reduction in Sentence pursuant to 18 U.S.C. § 3582(c)(2) and Amendment 782 to the U.S. Sentencing Commission Guidelines ("782 Motion") as to MARK WHITE (3). Signed by Judge Larry J. McKinney on 8/12/2015. Copy sent to Defendant via U.S. Mail. (BGT) (Entered: 08/12/2015)
08/21/2015	61	NOTICE OF APPEAL by MARK WHITE (3) re 54 Order on Motion to Reduce Sentence - USSC Amendment 782 and 57 Order on Motion for Reconsideration. No Certificate of Service. (No fee paid with this filing) (Attachments: # 1 Envelope) (BGT) (Entered: 08/24/2015)
08/24/2015	62	PARTIES' SHORT RECORD as to MARK WHITE (3) re 61 Notice of Appeal - Instructions for Attorneys and Designation of Record information attached. (A paper copy of the Short Record was sent on 8/24/2015 to the defendant, via US Mail, at <i>Terre Haute U.S. Penitentiary</i>) (MAG) (Entered: 08/24/2015)
08/24/2015	63	Transmission of Notice of Appeal and Docket Sheet as to MARK WHITE (3) to US Court of Appeals re 61 Notice of Appeal. - for Court of Appeals Use Only. (MAG) (Entered: 08/24/2015)
08/24/2015	64	USCA Case Number as to MARK WHITE (3) 15-2812 for 61 Notice of Appeal filed by MARK WHITE. (MAG) (Entered: 08/25/2015)
11/13/2015	65	Certified and Transmitted Record on Appeal as to MARK WHITE (3) to US Court of Appeals re 61 Notice of Appeal (USCA #15-2812) **Sealed Documents will be sent as a Supplemental Transmittal via email.** (Attachments: # 1 Pleadings, # 2 Notice to Transmit Record)(LBT) (Entered: 11/13/2015)
11/13/2015	66	Supplemental Record on Appeal transmitted to USCA, via email, as to MARK WHITE (3) re 61 Notice of Appeal (USCA #15-2812). Contents of Supplemental Record: 2 Sealed Documents. (LBT) (Entered: 11/13/2015)
11/16/2015	67	Appeal Remark as to MARK WHITE (3) re 61 Notice of Appeal filed by MARK WHITE. (USCA #15-2812) Original record on appeal filed electronically. Contents of record : 1 vol. pleadings and 2 sealed records. (MAG) (Entered: 11/16/2015)
12/29/2015	68	MANDATE of USCA (certified copy) as to MARK WHITE (3) re 61 Notice of Appeal (USCA #15-2812) - IT IS ORDERED that the request for counsel is DENIED and the judgment of the district court is summarily AFFIRMED. (MAG) (Entered: 12/29/2015)
06/01/2016	96	MOTION for Certificate of Appealability by Defendant MARK WHITE (3). (Attachments: # 1 Exhibits Cover Sheet, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Envelope) (GSO) (Entered: 06/03/2016)
06/01/2016	97	MOTION for Leave to Appeal In Forma Pauperis, filed by Defendant MARK

		WHITE (3). (Attachments: # 1 Inmate Inquiry, # 2 Envelope) (GSO) (Entered: 06/03/2016)
06/08/2016	98	ORDER TO SHOW CAUSE as to Defendant MARK WHITE (3) - Defendant Mark White ("Defendant") has moved for an order granting him leave to file another collateral attack on his sentence and to proceed thereon in forma pauperis. Dkt. Nos. 96 & 97. Defendant is hereby ORDERED TO SHOW CAUSE on or before July 8, 2016, why these pleadings should not be stricken pursuant to the sanctions imposed by the Seventh Circuit Court of Appeals in its order dated August 15, 2014. Signed by Judge Larry J. McKinney on 6/8/2016. Copy sent to Defendant via US Mail. (GSO) (Entered: 06/09/2016)
07/06/2016	99	RESPONSE TO ORDER TO SHOW CAUSE, filed by Defendant MARK WHITE (3). (Attachments: # 1 Cover Letter, # 2 Envelope) (GSO) (Entered: 07/06/2016)
07/12/2016	100	ORDER - Defendant Mark White ("Defendant") has responded to the Order to Show Cause arguing that he has paid the fine issued by the Court of Appeals for the Seventh Circuit in its Cause No. 14-2138. A check of that docket reveals that he paid the fine on February 10, 2015. On the merits of Defendant's Motion for Certificate of Appealability, and Motion for Leave to Appeal in forma pauperis, the Motions are DENIED for the reasons stated by the Court in its Order dated January 9, 2015. Specifically, a certificate of appealability can only be considered in conjunction with a motion for relief pursuant to 28 U.S.C. § 2255; however, here, that matter has long been laid to rest. To the extent Defendant seeks to file a successive § 2255 motion, he must seek leave to do so with the Seventh Circuit Court of Appeals. Signed by Judge Larry J. McKinney on 7/12/2016. Copies distributed pursuant to distribution list. (GSO) (Entered: 07/12/2016)
07/26/2016	103	NOTICE OF APPEAL, filed by Defendant MARK WHITE (3) re Court's 100 Order. (No fee paid with this filing) (Attachments: # 1 Envelope) (GSO) (Entered: 07/27/2016)

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